

## State

Water quality is regulated under California's Porter-Cologne Water Quality Act, which has established a statewide system for water pollution control (Water Code Sections 13000 et seq.). The Act requires adequate protection of water quality by appropriate designing, sizing, and construction of erosion and sediment controls. Discharge of waste earthen material resulting from land disturbance with the potential to affect the quality of the waters of the State requires the issuance of waste discharge requirements. The RWQCBs are the principal agencies responsible for control of water quality and issuing permits. The SWRCB's General Construction Permit requires that a facility prepare a Storm Water Pollution Prevention Plan (SWPPP) and a Storm Water Management Plan (SWMP). EPNG would comply with the act through implementation of BMPs outlined in the Applicant's SWPPP (Appendix D3) to be submitted to the Lahontan RWQCB for review and approval. EPNG would also obtain an NPDES or comply with Waste Discharge Requirements (WDRs) for the discharge of hydrostatic test water. Discharge of hydrostatic test water to land is regulated under SWRCB Order No. 2003-003-DWQ specifically prohibits the discharge of hydrostatic test water from pipelines that have been used to store or convey any medium other than potable water "unless the Discharger has demonstrated to the RWQCB that all residual pollutant concentrations have been reduced to levels below RWQCB Basin Plan groundwater quality objectives." Discharge of hydrostatic test water to surface waters of the Lahontan Region would be subject to provisions of Lahontan Regional Board Order No. R6T-2003-0034 (Revised Waste Discharge Requirements and National Pollutant Discharge Elimination System General Permit for Limited Threat Discharges to Surface Waters).

The Lahontan RWQCB ~~also~~ would also require Section 401 water quality certification. This certification is required for construction within the 100-year floodplain of perennial watercourses. Clean Water Act Section 501 water quality certification is required for dredge and/or fill activities in any waters determined to be within the Section 404 jurisdiction of the USACE, including wetlands, regardless of whether those waters are ephemeral or perennial.

All jurisdictional waters of the United States will be identified in any water quality certification application to be submitted to the RWQCB.